



PUBLIC NOTICE

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DA 21-362

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**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON
WIRELESS SERVICE PROVIDERS' SAFETY MEASURES FOR THEIR CUSTOMERS
DURING DISASTERS IN CONNECTION WITH THE CONSOLIDATED APPROPRIATIONS
ACT OF 2021**

PS Docket No. 11-60

Comments Due: 20 days after publication in the Federal Register

The Public Safety and Homeland Security Bureau (Bureau) of the Federal Communications Commission (Commission) seeks comment¹ on recent efforts by mobile wireless service providers to improve network resiliency in order to inform a report to Congress, as contemplated by the *Explanatory Statement* accompanying the Consolidated Appropriations Act of 2021 (Act).² The *Explanatory Statement* accompanying the Act expressed “concern about the resiliency of wireless phone networks during natural disasters, including wildfires,” and sought a report from the Commission “on the type of safety measures wireless carriers have for their customers,” within 180 days of enactment, or by June 25, 2021.³

Accordingly, in order to respond to the *Explanatory Statement*, we seek updated information on specific measures mobile wireless service providers have taken in recent years to improve response readiness and network resiliency during natural disasters.⁴ How have mobile wireless service providers

¹ The comment period is condensed to account for the deadline stated in the Explanatory Statement.

² See *Explanatory Statement* (December 21, 2020, *Congressional Record*, Book IV pages 8440 8441) accompanying the Consolidated Appropriations Act of 2021 (Pub. L. No. 116-260, 134 Stat. 1182 (2020)).

³ *Id.*

⁴ The Bureau has conducted several inquiries to better understand the effectiveness of existing voluntary coordination efforts, including the Wireless Resiliency Cooperative Framework (Framework) to promote wireless network resiliency and situation awareness during disasters. See *Public Safety and Homeland Security Bureau Seeks Comment on Improving Wireless Network Resiliency to Promote Coordination through Backhaul Providers*, PS Docket No. 11-60, Public Notice, DA 18-1238 (PSHSB Dec. 10, 2018) (*Backhaul Public Notice*); *Public Safety and Homeland Security Bureau Seeks Comment on Improving Wireless Network Resiliency Through Encouraging Coordination with Power Companies*, PS Docket No. 11-60, Public Notice, DA 19-13 (PSHSB Jan. 03, 2019) (*Power Public Notice*); *Public Safety and Homeland Security Bureau Seeks Comment on Improving the Wireless Network Resiliency Cooperative Framework*, PS Docket No. 11-60, Public Notice, DA 19-242 (PSHSB Apr. 1, 2019) (*Effectiveness Public Notice*) (collectively, *Framework Public Notices*). In response to these inquiries, signatories of the Framework suggest measures they have taken to put the Framework into action have been effective in promoting wireless resiliency. See, e.g., CTIA *Power Public Notice* Reply Comments at 1 (filed Feb. 25, 2019); Verizon *Effectiveness Public Notice* Comments at 1 (filed Apr. 30, 2019); AT&T *Effectiveness Public Notice* Reply Comments at 3-8 (filed May 20, 2019). Other commenters, however, assert the need for more robust

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addressed and improved network reliability in the face of natural disasters? We ask commenters to explain further how these efforts have improved the public's safety during natural disasters. Overall, what resiliency measures are most effective? How can these measures be improved? How have customers responded to new measures? We specifically seek comment on steps wireless mobile providers have taken to ensure network resiliency, including but not limited to: back up power in areas prone to planned power outages to mitigate wildfires; pre-storm staging processes; roaming agreements that can be activated quickly following a natural disaster; effective coordination with power companies, municipalities, and backhaul providers; diversification of backhaul options in disaster prone areas; availability of deployable network assets; network infrastructure sharing among operators during natural disasters; and communicating disaster-related information with customers, particularly members of vulnerable populations, including individuals who are low-income, members of the disabilities community, or non-English speaking. Are there successful network resiliency policy measures for fixed networks that have been applied to wireless networks, especially given that much of the backhaul for wireline providers is the same as wireless providers? We also seek comment on cost and benefit issues associated with implementing measures to maintain and improve resiliency of mobile wireless networks. The Bureau intends to use these responses to update the Commission's existing record on wireless resiliency and help inform its report to Congress.⁵

Filing Requirements. Interested parties may file comments on or before the dates indicated above.⁶ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁷ All comments must reference **PS Docket No. 11-60**.⁸

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

action by wireless providers in particular areas, including: (1) coordination with power companies and backhaul providers; (2) engagement with and participation in exercises by local and emergency management officials; and (3) internal standards for requesting and activating roaming procedures in advance of natural disasters. *See, e.g., NCTA Power Public Notice* Comments at 2-3 (filed Feb. 8, 2019); *City and County of San Francisco Power Public Notice* Comments at 2-3 (filed Feb. 8, 2019); *NTCA/RWA Effectiveness Public Notice* Comments at 2 (filed Apr. 29, 2019).

⁵ The record currently includes comments and *ex parte* filings from the Bureau's fact-finding inquiry into wireless communications providers' efforts in the 2017-2018 Hurricane Season and the Bureau's inquiry into the implementation and efficacy of the Wireless Resiliency Cooperative Framework. *See, e.g., FCC Launches Re-Examination of Wireless Resiliency Framework in Light of Recent Hurricanes, Agency Sends Letters to Framework Signatories Asking them to Provide Post- Disaster Action Reports*, News Release (rel. Nov. 6, 2018); *Framework Public Notices; October 2018 Hurricane Michael Impact on Communications: Preparation, Effect, and Recovery*, PS Docket No. 18-339, Report and Recommendations (PSHSB 2019), <https://docs.fcc.gov/public/attachments/DOC-357387A1.pdf>. In addition to comments provided in response to this *Public Notice* and already filed in this docket, the Bureau will use the records developed in WC Docket No. 18-143, PS Docket Nos. 18-339 and 15-80, and GN Docket No. 17-83 to inform its report to Congress.

⁶ 47 CFR §§ 1.415, 1.419.

⁷ *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁸ *See id.*

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE Washington DC 20554.⁹
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings at its headquarters. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (OMD 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-handdelivery-policy>.
- All hand-carried documents should be delivered to the Secretary's Office at 9050 Junction Drive, Annapolis Junction, MD 20701.¹⁰

To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

Ex Parte Rules. The proceeding this petition initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules.¹¹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Additional Information. For further information regarding this Public Notice, please contact Amanda Farenthold, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, 202-418-1592 or by email to amanda.farenthold@fcc.gov.

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⁹ *FCC Announces Change in Headquarters Location*, Public Notice, DA 20-1223 (OMD rel. Oct. 15, 2020); *Amendment of the Commission's Rules of Practice and Procedure*, Order, 35 FCC Rcd 7867, 85 Fed. Reg. 64404 (Oct. 13, 2020).

¹⁰ *See Amendment of the Commission's Rules of Practice and Procedure*, Order, 35 FCC Rcd 5450 (OMD 2020) (amending 47 CFR § 0.401(a)(1)(ii)).

¹¹ 47 CFR §§ 1.200 *et seq.*